

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

CWP No. 22401 of 2012 (O&M)

Date of decision: 30.04.2015

Krishan Murti

...Petitioner

Versus

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN**

Present: Mr. Kanwar Bhan Sidhu, Advocate for  
Mr. R.S. Mamli, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Mr. G.S. Attariwala, Advocate for respondent No.3.

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**Jitendra Chauhan, J. (Oral)**

The learned counsel for respondent No.3 states that all the retiral benefits have been released in favour of the petitioner except 25% of medical reimbursement which is to be paid by respondents Nos. 1 & 2, in view of the Punjab Municipal Corporation Employee Pension & General Provident Fund Rules, 1994. He refers to Rule 2(c) which reads as under:-

*2(c). "Competent Authority" means the authority specified as such in Appendix 'A' and includes any other officer to whom the competent authority may delegate its powers under these rules.*

Subsequently these Rules were amended and after 01.09.2007, the respondent No.3 is making the payment. However, in the

instant case, the petitioner retired in the year 2003 when the Rules (Annexure R-3/1) were applicable.

The learned State counsel submits that an FIR is pending against the petitioner. After the decision of the FIR, appropriate action will be initiated.

In the circumstances, the present petition is disposed of that in case, the petitioner is acquitted in the FIR case, he will be at liberty to raise his claim against respondents Nos. 1 & 2, who will decide the same in accordance with law.

30.04.2015

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**(JITENDRA CHAUHAN)**  
**JUDGE**